

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE:

SANDRA DIXON HOLMES

Debtor

Case No. 18-41169 PWB

Chapter: 13

Judge: BONAPFEL

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN,
DEADLINE FOR FILING WRITTEN OBJECTIONS AND
HEARING DATE AND TIME IF OBJECTION IS TIMELY FILED**

To: Creditors and Other Parties in Interest

PLEASE TAKE NOTICE that the Debtor has filed and served on you a proposed modification to the confirmed plan in this case. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed modification must file that objection in writing with the Court on or before the following deadline.

DEADLINE FOR FILING OBJECTION: July 9, 2021

PLACE OF FILING: Clerk, United States Bankruptcy Court
Room 339, Federal Building
600 East First Street
Rome, GA 30161-3187

If you mail on objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also serve a copy on the undersigned at the address stated below, and on the Debtor(s) at: Sandra Holmes, P.O. Box 216, Cartersville, GA 30120.

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the Modification on **July 21, 2021 at 9:50 A.M.**, in Courtroom 342, The Federal Building, 600 East First Street, Rome, GA. **Given the current public health crisis, hearings may be telephonic only. Please check the “Important Information Regarding Court Operations During COVID-19 Outbreak” tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone. If no objection is timely filed, the proposed Modification will be effective pursuant to 11 U.S.C. § 1329(b)(2) as a part of the Confirmed Plan without further notice or hearing.**

This 14th day of June, 2021.

/s/_____
Brian R. Cahn, Attorney for Debtor(s)
State Bar No.: 101965
Brian R. Cahn & Associates, LLC
PO Box 3696
Cartersville, GA 30120
770-382-8900

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**POST-CONFIRMATION MODIFICATION OF PLAN
AND REQUEST FOR ITS APPROVAL**

COMES NOW SANDRA DIXON HOLMES, Debtor, and proposes to modify the confirmed plan of reorganization as set forth below and requests that this modification be approved.

MODIFICATION OF PLAN

COMES NOW SANDRA DIXON HOLMES, Debtor, and hereby modifies the Chapter 13 Plan, which the Court Confirmed on August 28, 2018 as follows:

Debtor requests that the monthly plan payment due to the Chapter 13 Trustee be reduced to \$0.00 for the payments due for June 2018 and December 2018 (nunc pro tunc).

Debtor further requests that the monthly plan payment due to the Chapter 13 Trustee be reduced to \$0.00 for the payment due for September 2020 (nunc pro tunc) due to increased household expenses as a result of the pandemic.

Shortly after Debtor's case was filed in May 2018, she had emergency surgery, and was out of work. In addition, Debtor had to take time off from work in December 2018 to care for her sick child. The request to reduce the monthly payment to \$0.00 for June 2018 and December 2018 should have been addressed when Debtor filed her previous Post-Confirmation

Modification in January 2020 (Doc No. 44), but these months were inadvertently overlooked at that time.

Debtor's household expenses have been substantially affected by the Covid-19 pandemic, and quarantine requirements, causing an unexpected increase in household expenses. Debtor has to use all available income to ensure ongoing living expenses are kept current. In the event this modification causes the term of the Plan to exceed the contemplated 60-month term, Debtor nevertheless seeks approval of this modification in light of the extended terms authorized by emergency amendments to Title 11 of the United States Code, under the CARES Act.

Debtor shall remit monthly payments in the amount of \$1,100.00 as scheduled. Debtor shall remit funds to the Trustee directly.

This 14th day of June, 2021.

/s/ _____
Brian R. Cahn, Attorney for Debtor(s)
State Bar No.: 101965
Brian R. Cahn & Associates, LLC
PO Box 3696
Cartersville, GA 30120
770-382-8900

AFFIDAVIT

I/We, Debtor(s) in the foregoing petition declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

/s/ _____
SANDRA DIXON HOLMES

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing Post Confirmation Plan Modification and Notice on the following by U.S. Mail, in a properly stamped and addressed envelope.

Interim Chapter 13 Trustee
N. Whaley
Suite 1600
285 Peachtree Center, Ave., NE
Atlanta, GA 30303-1740

Timothy Tolbert
21 Ohio Street
Cartersville, GA 30120

Tigeski, LLC
c/o Tim Beahan
6669 Peachtree Industrial Blvd. Ste A
Norcross, GA 30092

First Guaranty Mortgage Corp.
c/o Radha E. Gordon
Aldridge Pite, LLP
Suite 500, Fifteen Piedmont Center
3575 Piedmont Road, N.E.
Atlanta, GA 30305

Navient Solutions, LLC
PO BOX 9635
Wilkes-Barre, PA 18773-9635

Sandra Holmes
P.O. Box 216
Cartersville, GA 30120

Jefferson Capital Systems, LLC
c/o Karen Borgmann
PO Box 7999
Saint Cloud, MN 56302-9617

Internal Revenue Service
c/o Stephanie Sheats
401 W. Peachtree St., NW
M/S 334-D
Atlanta, GA 30308

NCEP, LLC
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

Rushmore Loan Management Services, LLC
Radha E. Gordon
Aldridge Pite, LLP
Suite 500, Fifteen Piedmont Center
3575 Piedmont Road, N.E.
Atlanta, GA 30305

All parties on the attached matrix

This 14th day of June, 2021.

/s/
Brian R. Cahn, Attorney for the Debtor
Georgia Bar No. 101965
Brian R. Cahn & Associates, LLC
PO Box 3696
Cartersville, GA 30120 (770) 382-8900